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6 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON7 PHILIP PULVER, and Catalogs
8 OnLine, Inc., a Washington
corporation,

9 Plaintiffs,

10 v.

11 BATTELLE MEMORIAL
12 INSTITUTE, *et al.*,

13 Defendants.

NO. CV-05-5028-RHW

**ORDER DENYING PLAINTIFFS'
MOTION TO RECONSIDER**

14 Before the Court are Plaintiffs' Motions to Reconsider and Expedite (Ct.
15 Recs. 362 and 366). The Court finds that the motion fails to present any new
16 evidence, identify a change in controlling law, or identify any clear error in this
17 Court's entry of judgment. As such, Plaintiffs' motion fails to satisfy any of the
18 factors necessary for reconsideration as set forth in the case law. *See, e.g., Nunes v.*
19 *Ashcroft*, 375 F.3d 805, 808 (9th Cir. 2004). Moreover, the Court notes that the
20 order Plaintiff asks the Court to reconsider is currently on appeal.

21 Accordingly, **IT IS HEREBY ORDERED** that Plaintiffs' Motions to
22 Reconsider and Expedite (Ct. Recs. 362 and 366) are **DENIED**.

23 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
24 enter this order and to furnish copies to Plaintiff and defense counsel.

25 **DATED** this 28th day of December, 2010.

26
27 s/Robert H. Whaley
28 ROBERT H. WHALEY
United States District Judge

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